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OFFICE OF PETITIONS

In re Application of
Peck, Dubey, Tokarski, Zhang, Li, and Arnold
Application No.: 10/731,258
Filed: December 9, 2003
Attorney Docket No: VTN-632
For: CONTACT LENS PACKAGES CONTAINING
ADDITIVES

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: DECISION ACCORDING
: RULE 47(a) STATUS
:

This is in response to the petition under 37 CFR 1.47(a), filed September 13, 2004.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The above-cited application was filed on December 9, 2003, without an oath or declaration. On March 10, 2004, a Notice to File Missing Parts of Nonprovisional Application was mailed requiring a properly executed oath or declaration and a surcharge. The notice set an extendable period for reply of two months from its mailing date. The instant petition under 37 CFR 1.47(a) was filed on September 13, 2004 (certificate of mailing dated September 10, 2004), along with an extension of time within the third month.

Petitioner has shown that inventor Peck has constructively refused to join the above-identified application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin

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